

REMARKS

I. Drawings

The Examiner has objected to the drawings because: (1) they fail to show #50 as described in the Specification; (2) #21 no longer points to the lower surface of #20; (3) #32 has an interrupted line to internal shoulder; and (4) cross-hatching of #20 is incomplete in the area of revision. *January 24, 2007 Office Action*, at page 2.

The Applicant respectfully contends that the Specification does not disclose a reference number 50. As to the Examiner's other objections, the Applicant has enclosed a new Replacement Sheet for Fig. 2 with this Response.

II. Rejections under 35 U.S.C. 103(a)

The Examiner has rejected claims 1-3 and 5-14 under 35 U.S.C. 103(a) as being unpatentable over Shah et al. (US 5,127, 837) ("*Shah*") in view of Toy et al. (US 5,931,222) ("*Toy*"). *January 24, 2007 Office Action*, at page 3-6.

Claims 1 and 13 have been amended to clarify that: (1) the clamping member defines "one or more relief volumes to prevent the clamping member from contacting a portion of a surface of the one or more electrical devices," as supported by the Specification, at least at page 7, lines 17-21 ("Clamping member 18 can have one or more relief volumes such as annular volume 15 machined into its contact surface with electrical device 14 to accommodate the shape of a top surface of device 14."); and (2) the heat-conducting member is adapted to thermally contact the electrical device "separately from the compressive force provided by the clamping member," as supported by the Specification, at least at page 4, lines 4-6 and 7-8, and page 6, lines 13-16 ("The clamping member is thereby de-coupled from any heat transfer

functionality...."). No new matter has been added.

The Applicant respectfully submits that independent claims 1 and 13, as amended, are patentable over the cited references, and traverses the rejection.

A. Neither *Shah* nor *Toy*, alone or in combination, disclose at least one element of independent claims 1 and 13, “a clamping member...defining one or more relief volumes to prevent the clamping member from contacting a portion of a surface of the one or more electrical devices.”

“A patent is invalid for anticipation when the same device or method, having all of the elements contained in the claimed limitations, is described in a single prior art reference.” *Crown Operations International, Ltd. v. Solutia, Inc.*, 289 F.3d 1367, 1375 (Fed. Cir. 2002). “To establish *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.” M.P.E.P. § 2143.03, *citing, In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974)

The Applicant respectfully contends that neither of the cited references discloses at least one element of independent claims 1 and 13, “a clamping member...defining one or more relief volumes to prevent the clamping member from contacting a portion of a surface of the one or more electrical devices.”

Shah discloses a clamping member, characterized by the Examiner as three components with reference numbers 14 (“socket”), 52 (“hinged cover”), and 54 (“latch”). However, as is clear from Figures 1 and 2 of *Shah*, none of these components defines “one or more relief volumes.”

As for the second reference, *Toy* does not disclose a clamping member. As shown in Figure 1, *Toy* discloses “a heat sink assembly 10...including nickel-plated cap 18 that is fixedly bonded to a layer of silicone elastomeric material 21 (used to attach a heat sink 22) by means of

an interfacial, thin adherent metal film 20.” *Toy*, at col. 6, lines 23-27.

In summary then, independent claims 1 and 13 are patentable, because neither discloses “a clamping member...defining one or more relief volumes to prevent the clamping member from contacting a portion of a surface of the one or more electrical devices.” Claims 2-3, and 5-12, which depend on claim 1, and claim 14, which depends on claim 13, are also patentable for at least the same reasons set forth above.

B. Neither *Shah* nor *Toy*, alone or in combination, disclose at least one element of independent claims 1 and 13, the heat-conducting member adapted to thermally contact the electrical device “separately from the compressive force provided by the clamping member.”

The Applicant respectfully contends that neither of the cited references discloses at least one element of independent claims 1 and 13, the heat-conducting member adapted to thermally contact the electrical device “separately from the compressive force provided by the clamping member.”

Shah discloses a heat-conducting member, characterized by the Examiner as two components with reference numbers 55 (“spring-loaded plunger”) and 56 (“enlarged base portion”). The heat-conducting member provides a compressive force on the contacts. “A spring-loaded plunger 55 has an enlarged base portion 56 comprising a component of a heat sink 58 and biases the chip carrier 12 into desired engagement with the underlying projecting terminal portions 34 of the plungers 34 mounted in housing portion 16 comprising the floor of socket 14.” *Shah*, at col. 7, 32-37. *See also, Shah*, at col. 8, lines 37-43. (“It will be appreciated, for instance, that during the pivotal downward movement of the hinged cover 52 [clamping member] of the tester 10 of FIG. 1, engagement between the base 56 of the spring-loaded heat sink 58 and the upper surface of the carrier 12 would normally effect a force component of

movement tending to slidably move the carrier 12 away from the pivot axis 50.”)

Toy discloses a heat conducting member, characterized by the Examiner as the component with reference number 18 (“cap”). However, as stated previously, *Toy* does not disclose a clamping member.

In summary then, independent claims 1 and 13 are patentable, because neither discloses heat-conducting member adapted to thermally contact the electrical device “separately from the compressive force provided by the clamping member.” Claims 2-3, and 5-12, which depend on claim 1, and claim 14, which depends on claim 13, are also patentable for at least the same reasons set forth above.

E. Conclusion

For the reasons cited above, the Applicant respectfully submits that the claims as amended are in condition for allowance. Early and favorable action is requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned in Westborough, Massachusetts, (508) 898-1501.

If any payment during prosecution is found to be insufficient, or if any overpayment is

found, please charge any deficiency or charge any overpayment to my deposit account number 50-1582.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MV' with a stylized flourish extending from the 'V'.

Brian M. Dixgman

Reg. No. 32,729